

Calendar No. 1890

82D CONGRESS }
2d Session }

SENATE

{ REPORT
No. 1947

HOONG MOY LAM

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 5087]

The Committee on the Judiciary, to which was referred the bill (H. R. 5087) for the relief of Hoony Moy Lam, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor Chinese child of a United States citizen the status of a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill was born in Hong Kong, China, on October 6, 1950. Her father is a native-born citizen of the United States. The child did not derive United States citizenship through her father inasmuch as the father did not have the necessary residence in the United States as required by the Nationality Act of 1940. The child's mother has been admitted to Honolulu as the wife of a citizen of the United States.

Delegate Joseph R. Farrington, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following information in support of the bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., August 16, 1951.

HON. EMANUEL CELLER, M. C.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: I am enclosing a copy of H. R. 5087, which I have introduced on behalf of Hoong Moy Lam, the minor alien daughter of Youi Chong Lam, a citizen of the United States.

Youi Chong Lam was born in Honolulu, Hawaii, on September 2, 1916. He was married to Cheung Yerk Fong in Hong Kong, China, on January 19, 1950. Hoong Moy Lam was born on October 6, 1950, at Hong Kong.

Mr. and Mrs. Lam now make their permanent home in Honolulu, Hawaii. Unfortunately, their baby daughter has had to be left in Hong Kong in the custody of friends as Youi Chong Lam was not a citizen of the United States with 10 years' continuous residence prior to her birth as required by the Nationality Act of 1940. The friends, with whom the baby has been left, have informed the parents they do not wish to care for her any longer.

I am enclosing an affidavit executed by Youi Chong Lam giving the facts in detail.

I will appreciate it if the necessary reports can be obtained so this legislation might have prompt consideration by your committee.

Yours sincerely,

J. R. FARRINGTON,
Delegate from Hawaii.

CITY AND COUNTY OF HONOLULU, T. H.,
United States of America, ss:

AFFIDAVIT OF YUI CHONG LAM

Youi Chong Lam, being first duly sworn, on oath, deposes and says:

That he was born in Honolulu, city and county of Honolulu, T. H., on the 2d day of September 1916;

That he is and has always been a citizen of the United States of America;

That he has in his possession a United States Bureau of Immigration certificate of citizenship No. ~~XXXX~~, file No. 1700-608, issued to him on the 16th day of August 1949 by D. W. Brewster, district director at Honolulu, T. H.;

That he has made two trips to China from Hawaii, the first on October 17, 1916, returning on August 23, 1941, aboard the *President Coolidge*; and the second on August 20, 1949, via China Air Line, returning on February 13, 1950, aboard the *President Wilson*;

That he has in his possession also a United States passport No. ~~XXXX~~ which was issued to him on the 16th day of August 1949 by Ingram M. Stainback, Governor of the Territory of Hawaii;

That he was married to Cheung Yerk Fong on the 19th day of January 1950 in Hong Kong, China;

That said Cheung Yerk Fong was born on the 7th day of January 1928 in Chung Tau Village, Chungshan, Kwantung Province, China; and is a citizen of the Republic of China;

That from said marriage a daughter, Hoong Moy Lam, was born on the 6th day of October 1950 in Hong Kong, China;

That the said Cheung Yerk Fong arrived in the Territory of Hawaii on April 6, 1951, for permanent residence in the Territory of Hawaii and that the said Hoong Moy Lam was left temporarily in the care and custody of friends in Hong Kong, China, a Mr and Mrs. Yoong Hook, No. 11 Kowloon Gate Road, as affiant's wife was not permitted to bring her to the Territory of Hawaii;

That the said Mr. and Mrs. Yoong Hook have stated that they are not desirous of having permanent care of affiant's daughter and wish to have affiant send for his daughter immediately;

That should Mr. and Mrs. Yoong Hook refuse to care for affiant's daughter, there will be no one to whom affiant is able to entrust the care of his daughter;

That affiant's daughter, Hoong Moy Lam, although born the daughter of a citizen of the United States of America, is not a citizen of the United States, as the Nationality Act of 1940 requires that a citizen must have 10 years of residence in the United States prior to the birth of his daughter before that daughter can be born a citizen of the United States of America;

That affiant, prior to the birth of his child, had only 9 years and 3 months of residence in the United States of America; that because he did not have nine more months of residence in the United States, his child, the said Hoong Moy Lam, was not born a citizen of the United States of America;

That as affiant and his wife are now permanently residing in the Territory of Hawaii, it is their desire that the said Hoong Moy Lam be allowed to come to the Territory of Hawaii to live as a permanent resident with affiant and his wife; and

That this affidavit is made for the purpose of requesting that a bill be passed in the Congress of the United States to allow the said Hoong Moy Lam to come to the Territory of Hawaii for permanent residence.

Further affiant sayeth naught.

Dated at Honolulu, T. H., this 25th day of May A. D. 1951.

YOUI CHONG LAM,

Subscribed and sworn to before me this 25th day of May 1951.

[SEAL]

NONNIE LAI WONG CHANG,

Notary Public, First Judicial Circuit, Territory of Hawaii.

My commission expires January 31, 1952.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 5087) should be enacted.

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